

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEO SCHWARTZENBERGER, ) No. C 10-0858 SBA (PR)  
Petitioner, )  
v. ) **JUDGMENT**  
F. GONZALES, Warden, )  
Respondent. )

Pursuant to the Court's Order granting respondent's motion to dismiss petition as untimely signed today, this action is DISMISSED WITH PREJUDICE. 28 U.S.C. § 2244(d).

IT IS SO ORDERED.

DATED: September 30, 2011

Saundra B Armstrong  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

# United States District Court

For the Northern District of California

United States District Court  
For the Northern District of California

1  
2 UNITED STATES DISTRICT COURT  
3 FOR THE  
4 NORTHERN DISTRICT OF CALIFORNIA

5 LEO SCHWARTZENBERGER,

6 Plaintiff,

7 v.

8 F GONZALES et al,

9 Defendant.

10 Case Number: CV10-00858 SBA

11 **CERTIFICATE OF SERVICE**

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
13 Court, Northern District of California.

14 That on October 12, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said  
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
located in the Clerk's office.

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18  
19  
20 Leo Schwartzenberger V-62320  
21 California Correctional Institution  
22 P.O. Box 608  
Tehachapi, CA 93581

23 Dated: October 12, 2011

24 Richard W. Wiking, Clerk  
By: LISA R CLARK, Deputy Clerk